

Recollections of a brother, Adam Gifford : one of the senators of the College of justice in Scotland, under the title of Lord Gifford / By his brother

Gifford, John, 1821-?

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RECOLLECTIONS OF A BROTHER
AND OF HIS HOMES

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Recollections of a Brother

ADAM GIFFORD

*ONE OF THE SENATORS OF THE COLLEGE
OF JUSTICE IN SCOTLAND*

UNDER THE TITLE OF

LORD GIFFORD

BY HIS BROTHER



Printed for the use of the Family

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NOTE.

THESE recollections of my brother, Lord Gifford, are recorded by my sister and myself.

We are well aware that the record, containing no extraordinary or exciting incident, may seem trivial and commonplace. Still we know it tells the external life of one whom we loved much, and who was wise and good.

Besides most faithfully serving his own generation, he sought to benefit his country in time to come by founding the Lectureships in Natural Theology.

These notes are printed *only* for the use of his relatives, their children, and their children's children, to supply some answer to the question, asked long after all his coevals have gone from earth, "Who was Lord Gifford?"

May these recollections stimulate some one to be wise and good as he was.

JOHN GIFFORD.

Edinburgh, 1891.

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RECOLLECTIONS OF A BROTHER, AND OF HIS HOMES.

ADAM GIFFORD was born on February 29th, 1820, in Park Street, Edinburgh. There were afterwards in the family two other children, John and Mary.

His father, James Gifford, was the son of Adam Gifford, who was a manufacturer in leather. James, when he grew up, became a partner in the business, and carried it on after his father's death for the greater part of his life.

By industry and intelligence, he rose to a prominent place in his native city, as well as in the church to which he belonged. He became Treasurer and Master of the Merchant Company, a member of the Town Council of Edinburgh, and a governor of several charitable institutions. He was chosen an elder in the Antiburgher or Secession Church, and for many years was a diligent Sabbath-school teacher—this, too, at a time when Sabbath schools were not so common as they are now.

He had few opportunities in early life to acquire education, but, endowed with a clear perception, a sound judgment, and a natural power of language, he became an able and efficient man of business. He became more than this. His reading and thinking

led him into regions beyond those in which most men live and move, and a certain far-sighted wisdom, touched with poetry and idealism, characterised his opinions. As a consequence, these were often in advance of his time; and his children have lived to see some ideas of his, which were regarded as utopian when he uttered them, secure a place in men's common thoughts.

He knew his Bible well, and loved it. There is no such book for developing the mind and heart.

My mother, Katherine Ann West, was the only daughter of John and Mary West. How shall I describe dear mother? She was younger than my father by six or seven years. Vigorous in body and mind, she was a most independent thinker—her thoughts ever more numerous than her words. She was not much taken up with the externals of life, but deeply impressed with its spiritual realities. This made her friends say "She was easy-going," and her economies in household management and decisions in practical life were carried through regardless of criticism.

Like her husband, she loved the Lord, and earnestly and constantly served Him.

My father had two brothers, John and Alexander—one older and one younger than he. John was a minister of the Secession Church, and had a congregation at Saltcoats, from the year 1800 till his resignation in 1811. Alexander was a solicitor in Edinburgh, and prospered in his business for many years. Father and he were very brotherly.

Mother had two step-sisters, Jean and Mary, daughters of her mother and her mother's second husband, Wm. Paterson. Jean married Mr James M'Laren, and had a large family of four sons and nine daughters—these cousins were our closest and most intimate friends of youth, as those of them who survive are of our advanced years. Mary married the Rev. William Lothian, a Congregational minister in St Andrews. Two of their children still survive.

For other relatives we must refer to the genealogical tree, only noticing other two cousins (Adam and Catherine), children of Alexander Gifford and his wife, Catherine More. They were both very dear to us, and grew up with us. They both died in early life of consumption,—Catherine in 1851, and Adam in 1853.

ARNISTON PLACE, NO. 11, now called No. 25 Newington Road, is the first home of which my memory bears any record. I remember the "flitting" from Park Street, and the wonder and curiosity which the new house excited. It had a plot of grass in the front, and behind, a strip of garden ground. Father purchased this house, and found great delight in it and in the garden. He put up a summer-house, and a dove-cot, and with hammer and nails did many a little piece of work in and outside the house. It must have been in 1824 or 1825 that we came to this pleasant dwelling. The walls of the garden were clothed with fruit trees and currant bushes, and on them some cherries, pears, and ribston pippins ripened. There my brother's education and mine began under

our mother's tuition. She had been a governess in the Rev. Dr Traill's family at Panbride, Forfarshire, and was thoroughly qualified to teach the elements of an English education. Adam and I were never at any elementary school.

I remember our writing lesson was at 7 o'clock, before breakfast ; but the process of learning to read I do not remember,—it was so carried on that as we learned to speak we learned to read without knowing how.

Our dear sister Mary was born here in 1825, and no doubt our relation to her was a new element of education. In these early years I had (though very rarely) quarrels with Adam, and I remember it always ended in my crying for mother's help. He never was passionate, and only passively resisted my attacks.

The wee girl had no companions except her big brothers, four or five years older than she was, and I suspect we sometimes ran off to our games without her ; for, whenever she saw a conference regarding some unknown project, she used to exclaim most emphatically, "Me too! Me too!"—thus early asserting woman's rights.

When Adam was eight and I about seven, we were placed under the care of Mr John Laurie, who kept a small school in West Nicolson Street for teaching Latin and Greek. He was a good man, but not a good teacher, and though we were there four or five years, I do not think we learned much. Adam learned better and more than I did. In the intervals of waiting, which were long at Mr Laurie's, as each

class was called up in turn, Adam learned shorthand by himself—an acquirement of which in after years he made constant use.

About 1832 we became pupils of Mr Cunningham, who opened the Edinburgh Institution in Hill Street in that year. It might be said that a new era in education began there. Latin and Greek were retained, but French, German, Mathematics and English Literature were included, and boys were trained for life on a wider and more practical plan.

My brother was in higher classes than I, and became really a good scholar. We ever retained a warm respect for Mr Cunningham. He was an excellent man as well as a kind and able teacher, and the school prospered.

My father left Nicolson Street Secession Church when he came to Newington, and mother and he went to Rev. Dr Gordon's, in Hope Park Chapel. I remember the pew we sat in, but nothing else about the church. Some years afterwards we went to Rev. Dr John Bruce's in the New North Church, whose sermons mother enjoyed. Adam and I went to his class for boys. He was succeeded by Rev. C. J. Brown, from whose vigorous, impressive Scriptural teaching, we gained much. How much we never knew.

Our boyhood was spent in this home. My brother's history in these days was not eventful. He shared in most of our doings, but never led in them. There was a kind of distance between him and even his playmates. The cousin M'Larens were the most intimate, and David, about two years older than Adam, was his frequent companion.

Saturday walks were a most important element of our lives. Arthur's Seat, Blackford Burn, and subsequently Portobello, were often visited. We made boats with our pen-knives, and to launch them full-rigged on Blackford Burn was an event of great interest. I remember a nice boat of Adam's with a lugger sail, "The Earl Grey," suffering under the stones thrown at it by some carter boys. Moredun Mill, two miles out of Edinburgh on the Gilmerton Road was a paradise for us. Mr Salmond, the miller, a friend of father's, invited us on a Saturday now and then, and we enjoyed it much, for there were the mill and pond, a wood and a burn, besides a pony, and a garden with gooseberries and currants, a world of delights to town boys as we were.

Once a year father and some friends got up a pic-nic to Habbies Howe in the Pentland Hills. We had only carts with clean straw to carry us the ten miles, but it was glorious in prospect and in execution.

The mates we were oftenest with were James and Hugh Pillans, and the two Fergusons, Archie and Robert. On the Saturdays many a mile we walked together with them—of these four, Robert Ferguson has long been dead, the other three still survive, with the honour and respect of their early playfellows, and of all who know them.

Even then my dear brother seemed to read more and think more than we did, and this led us in those early days to call him "the philosopher." Some of our social amusements he did not join in. We had a Society for asking and answering questions (these we

printed in the form of a little catechism), and a "Picture Exhibition." To neither of these he contributed. He and I played chess a good deal when we were ten or twelve years old. We made with our pen-knives more than one set of chess men, but, when lessons became harder and life busier, chess as it took too much time was given up.

One other memory of Arniston Place may be recorded. I remember Miss Ann Traill staying with us and painting a portrait of Dr Gordon. The Doctor was throned in an arm-chair in the dining-room, with a bright red shawl of mother's thrown round him. Miss Traill afterwards joined the Church of Rome, and became one of the Sisters of Charity when they were established at Whitehouse Loan, Edinburgh, under the title of St Margaret's Convent.

Two scenes of our amusements may be sketched. At the top of our back garden on the other side of the wall was a piece of unoccupied ground. This was our frequent resort, and on the King's birthday, our Saturday halfpennies having been accumulated for weeks before, we had a small supply of gunpowder and some pieces of small artillery. We gathered sticks and got stones, made a "bonfire," roasted potatoes in the ashes, and were very jolly. Once I was sent over the wall to "borrow" a lump of coal from mother's cellar. When I got to the head of the garden, before throwing the coal over the wall I called out as a warning. One of the Fergusons misunderstood the call, and ran to the spot only to receive on his head the full force of the large piece of coal. It

knocked him down, and we all, I especially, got a fright. This fortunately was the only result. The network of walls that enclosed the gardens of the neighbouring houses was a field of constant entertainment.

We made, like the cats, a regular walk round all the walls—they had a level copingstone, and on it we enjoyed our freedom. The proprietors unfortunately objected to our presence, and sent the police after us.

This added zest to the enterprise, and we had barrel staves with a string attached to one end, which served as scaling ladders to enable us to reach the top of the wall easily and escape the officers.

One of the neighbouring houses was occupied by the notorious Dr Knox, who was associated with the murderers Burke and Hare. I remember well the evening when the mob assaulted his house, and smashed every pane of glass in his and the adjoining houses. Knox himself made his escape by these back garden walls.

No. 3 HILL SQUARE.—It must have been about 1835-6 that father bought this house and some property adjoining from his brother. Alexander Gifford had bought the Hill Square property for his house and office, and as he now wished to remove to St Andrew Square, he sold the whole to my father.

The Arniston Place house was sold at this time, and we unwillingly removed to No. 3 Hill Square.

The house was commodious enough, but the situation was confined, and we missed the fresh air of Newington.

However, we were now much busier. Adam had

gone as an apprentice to Uncle, and was busy with law studies. He had entered the University and attended several classes. Our Saturday walks and games somehow ceased.

Father had his shop at No. 98 South Bridge, and still carried on his leather work. He made leather cases for hats, spectacles, and measuring lines, leather pipes for fire engines and breweries, and helmets for yeomanry. I helped in his book-keeping, marking measuring lines, and in other ways.

One day Mr John Macfie of the Sugar House, Canongate, saw me in the shop, and, turning to father, said, "Would your boy like to learn banking? I could get him into the National Bank of Scotland. I'm a Director there." I made no objections, so, with my Uncle's help, and a regular canvass by myself of all the Directors, on 25th April, 1836, I entered and was apprenticed to the National Bank of Scotland. I was hardly fifteen years of age.

Adam's life was now much more apart from mine. His heavy office work, the University studies, the Scots Law Debating Society filled up every hour. Then he read a great deal at night. All he did was done quietly and was never the subject of his talk, so that his work was not brought before us. He was often late of getting home at night, and family hours were early, evening prayers being at about 9.30. Supper and bed followed soon. Long after, Adam mentioned with gratitude that at this time mother gave him a pass-key, and never asked when he came in. He soon made himself useful to

his Uncle, and learned his business thoroughly, until he became managing clerk in the office. He did everything systematically and perfectly, never grudging time or trouble.

One recreation on Duddingston Loch on the bright, cold winter days, he enjoyed. He became a good skater, and years afterwards joined the Skating Club. I remember going out with him, on the clear ice, at six o'clock in the morning, under the moonlight, to get a couple of hours skating—we had no other time. It was ever to be regretted that this was his only physical amusement. Had it been otherwise, and had riding, fishing, or golf got some of his hours in after days, his health and life might have been prolonged.

During these years we both became Sabbath-school teachers, and Adam taught for many years in Mr Ritchie's Heriot School, Cowgate. He taught and addressed the children most effectively. He also used to go on Sabbath forenoons to Dr Guthrie's Ragged School, to take a service with the poor children there.

His cousin Adam had been trained in his father's office for some years as a clerk.

Mr Alex. Gifford's business, though a good one, was not sufficient to be a source of income to both my brother and cousin, so, in the year 1848, the two Adams had a conference; my brother said to his cousin:—"You see there is not room for both you and me in this business. One of us must go out, and might perhaps pass as an advocate. Will you go or

shall I?" Our cousin chose to remain, and my brother passed as an advocate in 1849.

I was married that year to my dear wife, Mary Usher. We went together to the Court of Session to see Adam pass as an advocate. He assumed the wig and gown, delivered a formal speech before the judges and took the oath of office. Thus his life work began. He had many mental qualities which fitted him for it. He had a strong, clear intellect, undisturbed by excess of emotion. He was able to take a wide and balanced survey of any subject. He had indomitable perseverance, patience to attend to details, and an excellent memory, well stored with general and professional information. All this made him an able advocate, and afterwards an impartial and wise judge.

He had other advantages when he started on this career. He was well known in conducting his uncle's business to many of the law agents, and his knowledge of the details of a solicitor's business was of much advantage to him in his new work.

Adam's first chambers were in Albany Street. I remember the door-plate with his name, but I do not think I was ever in his rooms.

We never liked our residence in Hill Square, and now, when Adam and I had left home, my father resolved to move to a house in Dublin Street, where an advocate's business could be carried on and the family could reside. It was No. 21, and they entered it, I think, in May 1851.

My father had retired from business years before

this time, but he held the office of Treasurer to Trinity Hospital, an institution for the support of poor aged men and women, and to carry on this and the management of some house property, he retained an office at 105 South Bridge.

The Dublin Street house was in my brother's name, though father really upheld it—no doubt Adam contributed his share, but all his doings and his work were carried on so quietly we never heard of it. Indeed, since my marriage I was not in a position to learn much of these things. In 1851 our only sister was married to the Rev. Alex. Raleigh, a marriage which was a source of happiness and blessing to us all.

My father and mother, with Adam, removed again in May 1855. Adam bought the house No. 35 DRUMMOND PLACE, and there, for years, he diligently and ably did the business that came to him. It came slowly, but his clients never left him; they soon learned the value of his work. He never would canvass for business. I remember once when I urged him to do so, he refused, saying playfully, "You know, John, if they don't employ me, it is their loss, not mine."

In August 1861 he and I went to Paris, and spent fourteen days very pleasantly.

He took no part in politics, although very decided in his Liberal views; and it was not till the year 1861, when he had attained considerable prominence in the Parliament House, and the Government could no longer pass him over, that he was appointed advocate-depute, and in 1865 Sheriff of Orkney and Shetland.

This latter office did not interfere with his work as an advocate. He appointed resident deputy-sheriffs, who heard the cases, and from whose decision an appeal could be made to him. Once or twice a year the principal Sheriff had to visit his County, and hold Courts. In the autumn of 1866 I went to Shetland with my brother. He hired a yacht at Lerwick, called "The Gem," of some thirty or forty tons, and we spent a very pleasant fortnight in sailing round and through among the islands. It was fine weather, and we had Deputy-Sheriff Muir and Mr Jas. D. Marwick (now Sir James) with us. I visited my friend, Mr John White, the Agent for the Union Bank at Lerwick at that time, and had many a ride over the moors before returning to Edinburgh.

The next event of importance in Adam's life was his marriage with Miss Maggie Elliot Pott.

Our Uncle Alexander had, in 1855, married Miss Jane Gray. She had been governess in the family of Mr James Pott, W.S., Albany Street, for a long time, and his wife on her deathbed, gave her charge of her two sons, James and George, and her only daughter, Maggie. After Miss Gray's marriage with Mr Alexander Gifford, Maggie Pott came to reside with her. It was an arrangement which suited all parties. Maggie was a bright, intelligent girl of sixteen or seventeen, and she brightened Uncle's home by her presence. The childless old man grew fond of her.

Yet, while my father lived, Adam never thought of bringing a new mistress to Drummond Place. Father's death took place in 1862—peacefully he had

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spent his last years : his strength was impaired, but not his clearness of mind. I had to go to Ireland that summer about a Bank Note robbery, and took my wife with me. Father and I walked together in the Drummond Place Gardens on the day I left. He said to me, "All my work is over, God has more than fulfilled all my wishes, and I am waiting His call." On the 27th July 1862, a telegram reached us while we were in Dublin, saying, "Father died this morning." He died in peace.

It was next year, 7th April 1863, that Adam's marriage with Miss Pott took place. Dear mother welcomed her warmly, and gave up her rule at Drummond Place to her new daughter. We all liked Adam's wife ; she was so unselfish and kind, so clever and considerate.

The marriage was in Mr Alexander Gifford's house, and from that time our mother went to live with Mrs Raleigh in London, coming in the summer to visit Adam's home and mine.

My brother's home was a very happy one. Maggie's skill and sympathy brightened and soothed his few leisure hours, for his business had much increased, and he had secured a lucrative practice.

He and I had previously resumed the habit of having a walk or drive together every Saturday afternoon. When the bank closed at one or two o'clock, I went to Drummond Place, and Adam pushed away his papers, and was always ready for our ramble. He had many acquaintances, but he never made any close friendships.

Herbert James, his first and only son, was born 12th March 1864. We lost our boy, John, 28th June of that year, of diphtheria.

Four happy years passed away over Adam's home. His boy grew strong and well, but during these years his wife's health slowly declined. All through 1867 her ever-wasting strength marked the months as they passed. Her husband watched over her with unceasing care, but her illness steadily increased. On the 7th of February 1868, a message came to me from him saying, "Come, dear Maggie is sinking." It was too true. When I saw on the pillow the pale, white face, and the bright eyes opening for a few seconds, to shed the light of affection and peace on her loved husband as he stood at her side, I felt that the look said "Farewell." She died that day, leaving him in sorrow too deep for expression. Little Herbert could not know then how great his loss was. Our mother came soon, and comforted the mourners as only a mother can—pouring out her warmest affection and most earnest prayers on and for the little motherless boy. All was done to keep in his memory some remembrance of her who loved him so dearly and left him so soon.

Unexpectedly, on 26th January 1870, Adam was appointed to a Judgeship in the Court of Session. As a Senator of the College of Justice he took his seat under the title of Lord Gifford. His father had predicted this elevation, yet we were surprised, as well as pleased when the appointment was made. He was only forty-nine—an early age at which to reach the bench.

Now our notes pass from Drummond Place to GRANTON HOUSE.—This house was taken in the end of 1870, and the removal to it took place in January 1871.

It was a fine old house, situated above the shore one and a half miles west of the Granton railway station. Built by President Hope of the Court of Session on land feued from the Duke of Buccleuch, the house stands on a bank some seventy feet above the sea, and commands a fine view north, west, and east. Above thirty acres are attached to the house, and a ring of trees shelter and shut it in. There were two or three small parks, a good old-fashioned garden and stabling, &c., included in the property.

Sundry additions had been made to the house, and it had accommodation for a large establishment.

Granton House was a happy meeting-place. Here the various branches of the family were gathered from time to time under the kind and generous hospitality of my brother.

Till the time of her death in December 1873, our mother made it her home, and found a peaceful resting-place in it, while she studied and struggled to do her utmost for the comfort and welfare of Adam and for Herbert, whose motherless condition touched her heart.

Subsequently, Lord Gifford had the good fortune to have successively as his housekeepers and companions his two dear nieces, Katy and Alice Raleigh. Alice's loving care was with him all through his long illness, and she was at his side when he breathed his last.

As a Judge, Lord Gifford required a carriage to take him to and from the Court, but often the grey horses carried a happy party of children ; for, in his kindness, Lord Gifford made his home a veritable holiday house for my sister's children and mine. Many delights were there. The freedom of the woods, the sea-bathing, the wonders of the shore, the fruits and flowers of the garden, always freely given, these things were the foundation on which many a superstructure of childish bliss was built, to be remembered with moist eyes in after days.

Herbert's first pony, Donald, a sturdy Shetlander, shaggy and wilful, was an important member of the family. After him came a larger animal Fairy,—these were the gifts of his uncle, Mr George Pott, and were a constant source of pleasure. There were dogs too, Jet, Trap, Charlie, and Faust, distinct in their several characters and ways, and not to be forgotten.

The two servants longest in Lord Gifford's employ were Alex. Johnston, the gardener—a shrewd, useful, and faithful man—and Dillon, the butler, an Irishman than whom none could be more good-natured and thoroughly attached to his master.

Johnston was lord of his own domain, and a kind of warfare was often carried on with much zest between him and the boys—(Herbert, Walter Raleigh, and my two sons James and Adam). They could not always accept his verdict as to when gooseberries or cherries were ripe, or which plots of currant bushes

or strawberries were to be kept sacred for jam, or which fences were not to be climbed upon.

As for Dillon—his good nature sometimes tempted to extreme measures the same mischievous hands. Once, at least, he was found tied hand and foot in his own pantry, and it is said his cupboards were unaccountably short of raisins and nuts at that very time. But under all such trials, his patience, good nature, and ready Irish wit never forsook him.

The incidents to be recorded now are few. In 1872, my brother complained of a numbness in his right leg which nothing could remove, and which ultimately made him lame, dragging that limb when he walked. There is no doubt that this was the first approach of the paralysis that afterwards became more masterful, and at last extinguished his vital powers. Still, at this time, it never affected his activity of mind or body—both were able for full work.

Dear mother died on Christmas Eve in 1873. She was as well as usual till three days before her death. Her three children were by her side, and saw her close her eyes and fall asleep in Christ. How good and how dear she was, and how much she was missed! She was 87 years old when she died.

About the year 1880 my brother's lameness had much increased, and he walked more feebly—indeed, more than once, he fell from sudden failure of his limbs. On New Year's Day, 1881, he came to us at 4 Marchmont Terrace, dined with us, and stayed overnight, going to Court next day. That day, the 2nd of January, a messenger came to me to the bank,

at four o'clock, saying that Lord Gifford had been seized with illness at the Court. I went at once, and found him sitting in one of the retiring rooms with his clerk, Mr Henderson, and Mr David Duncan, a good friend of our family. A cab was got, and with difficulty my dear brother and I reached Granton House.

He had sat on the Bench and heard the cases with his usual care, till he found he could not move from his seat. He gave no sign, but waited nearly half-an-hour till the Court rose, and then sent for assistance to his clerk, who got Mr Duncan. They found his limbs quite powerless, and sought medical help at once.

He never walked again, nor again entered the Court.

The best medical advice could do nothing. It was a severe shock of paralysis. His limbs and his right hand were powerless, but his head and heart were clear and calm. He knew exactly what had happened, and he was most grateful that God had left him his mind untouched.

After waiting a few weeks, and finding his recovery partial and slow, he resigned his Judgeship, and retired after twelve years' service. Government kindly gave him the usual pension. The sincere regret and the affectionate esteem of his fellow-Judges, and of those associated with him in his profession, went with him as he closed his legal career.*

The history of the long six years which he spent almost prostrate, fighting with his deadly disease, can

* See letter from *Scotsman*, page 39.

be soon told. His right arm being paralysed, he learned to write with his left hand till his other was restored.

The disease, after six months of partial recovery, with a violent shock attacked the left side, and made him still more powerless. His sister, Mrs Raleigh, was in the house at the time of the seizure, and was called to come to his room at four o'clock on a July morning. Entering softly, and with a troubled heart, she can never forget his calm look, and the words with which he greeted her,—

"This is a march on the citadel."

That same day, when we were still uncertain as to the issue of the attack, I said, standing by his bed, and thinking how vain was all human help, "*In Him* we live and move and have our being." He looked up to me, and said slowly, "Yes, and *in Him we die.*" He did not die then, but lived five years longer, till patience had its perfect work.

At various intervals he experienced attacks of a slight but similar nature, all of which undermined his naturally vigorous vitality. Indeed it was considered most wonderful that he could sustain and recover from so many attacks.

Two men waited on him day and night to supply all his wants; and all through this weary time, besides the constant care of Herbert and Alice, my sister often came from London, and stayed for weeks or months; and every week at least, I spent hours at his bedside.

Nothing could exceed the wise and careful attention

of his doctor, Dr Foulis, during these years. Regulation of the diet and of the daily life was all that could be done. He was placed in the wheel-chair in the afternoon, and, if the weather was fine, he was taken through the grounds, and then a cup of tea and biscuits were served under the elm or under the roses. He enjoyed this change, and talked cheerily with any of us who happened to be there at the time. He was wheeled to the dining room if the weather was bad. Many of his friends saw him, and had a pleasant though brief talk with him. The great advantage of having a country house and fresh air was felt in these circumstances.

My brother's patience under his heavy trial was wonderful and most touching; words he spoke from time to time revealed the source of his resignation. Some of them I recall, such as—"I have often wished for leisure to read and to think, now I have it,"—"I think I have seen more clearly many things about God since I have been laid aside; in the night I often can't sleep, and I follow out new trains of thought about Him,"—"I am very helpless, but I don't wish it to be otherwise; it is best as it is." His doctor for a time thought it possible that he might recover so far as to be able to walk with the help of crutches, and said so. He himself never thought it likely. "No," he said to his sister, "I will never walk again, but it doesn't matter. I need no crutches; there are *wings* ready for me to bear me home to God."

"To be happier or wiser, that just means to have

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more of God." The emphasis he laid on these three last words cannot be conveyed on paper.

Sometimes his fertile fancy would lead him to make very quaint remarks. Once, after a sleepless night, of which he had many, he said to his sister,— "I had a bitter quarrel with my body last night, I put the blame of all I have to bear on *it*. But I was very careful to use none but Scripture language in abusing it. I called it 'this vile body,' 'the body of this death,' 'this corruptible,' the tabernacle, in which 'I groan, being burdened.' So all I said was true and reasonable."

In bed, in a room facing south, and looking out on lawn and trees, he was supported with high pillows, and had his writing materials, papers and books all round him. He was always occupied and interested, till the last year of his life, when his illness increased, and he read less, and looked more weary. There were many conversations on the highest of all subjects in that quiet room. Shall we ever forget them? The reticence of other years was gone, he spoke freely of what he thought, and most often his thoughts were of God. He used to say, "He is infinite, how can our finite minds grasp His Being? but it is not wrong to go on in our thinking as far as we can."

Speaking of doing good to others, he used to say, "There is one person we can always try to make better, and that is ourselves."

One day he said to me, "John, I got a terrible fright last night." "What frightened you?" I asked.

"Oh, I discovered that I was beginning to love money!" Perhaps there is more cause for alarm on this ground, in many lives, than is at all realised.

Very pathetic it was to see him making cheerfully the best of what was left to him, never uttering a murmuring word, never regretting lost strength, but staying his heart calmly on the love and wisdom of his Father in heaven.

About a year before his father's death, Herbert went to London to prosecute his business as a Civil Engineer, as apprentice to Messrs Barry & Brunell. He had long been kept at home for his father's sake, but now it was felt he must go.

During that year the paralysis had tightened its hold and affected the internal functions more than before. My brother felt weaker, and could not think or speak as he used to do. He felt this, and often said that he wished to be done with his frail, useless body for ever.

About the middle of January 1887, he was more depressed and feebler. The doctor was anxious about him. I was at Granton House on Wednesday 19th January; he could speak little, and I was alarmed. However, I went home, Alice promising to wire any change. On Thursday, 20th January, a message came, "Uncle is worse, come." I drove down and found him very feeble. He knew me well, and smiling said, "I cannot speak;" that was about five o'clock. The oppression increased, and we could not understand his attempts to tell his wants.

Dr Foulis came about 7 o'clock, and told us Lord

Gifford would not see next morning. He had so rapidly sunk during the last hours that I said, "Doctor, stay a little ; he will not live an hour." He stayed.

We gathered around him—my wife, Alice, my son Adam, and myself, and watched his heavy, feeble breathing, till at last Dr Foulis said, "Now it is over." "Is it indeed?" I exclaimed, for he seemed quieter and calmer than ever. I touched his hand—kissed his cold brow. He was gone. My dear brother was at home with his God. He died about nine o'clock on the evening of the 20th January 1887.

Herbert, unfortunately, though he travelled all night, did not arrive till next morning, and Mrs Raleigh was also too late to see her loved brother.

His death left not only my sister and myself without a brother, but took from us one of the dearest, most generous and noblest friends we ever had. None knew Adam as we did.

After providing for his son, and giving legacies to his nieces and nephews and dependants, his fortune, gained entirely by his own hand and brain, was so ample that he gave £80,000 to the four Universities of Scotland to found Lectureships on Natural Theology. To the University of Edinburgh he gave £25,000 ; to those of Glasgow and Aberdeen, £20,000 each ; and to St Andrews, £15,000.

The conditions and regulations of these lectureships were carefully and thoroughly detailed, to secure what was the earnest desire of the donor—the highest welfare of his fellow-men, by leading them to the knowledge of God.

It will surprise his friends to know that his heart never was entirely with his profession. With the technicalities and verbalism of law he had no sympathy, nor with the petty squabbles of men, to decide which he was obliged to give his close attention. The only region of law in which he could freely breathe was that in which are found the principles of true and unchanging justice. He was an equity lawyer, and in any case where he could apply these principles, he swept precedent and word-splitting aside, and fearlessly did the right. He once said to me, "You are well off, John; when you lock your safe your mind and thoughts are free and fresh, but all last night and all this day I have had to investigate and make up my mind on a wretched, paltry dispute between two unreasonable men about a trifle."

He sought higher subjects of thought and higher enjoyments.

The remarkable fact was that, notwithstanding that his taste led him into fields other than his work, he yet did it so well.

Nothing distinguished him more than his fixed habit of doing everything he put his hand to most perfectly. He read his cases, mastered all the minute details, thought over them, arranged his arguments, or wrote his interlocutor with the utmost care. A case regarding the modes of measuring the tonnage of a ship once came before him. One of the parties told me that Lord Gifford drove down to Leith, sought out the vessel and its owner, and was led over the points in dispute that he might give an intelligent and just decision.

As an Advocate, he had much popular ability. Not naturally in the least impulsive, he knew the power of impassioned declamation over a jury or over a public meeting, and most fervently could he declaim. Other two qualities aided his popularity—his unfailing urbanity and the lucidity of his speech. None ever complained that Lord Gifford treated them with impatience, and none who gave any attention to his words could fail to understand them. An agent who lost his case said, "Mr Edward Gordon had stated our side, and I thought we were pretty safe. Your brother rose to reply, and, passing his hand through his long flowing soft hair, shook out his mane, and, like a lion, tore our case and our arguments to pieces. I felt utterly lost."

My brother's memory for things and words was most tenacious. He soon forgot his cases when they were over, but never till then. The amount of fine poetry he could repeat till his dying day was a source of pleasure and surprise to those who heard him.

His work as a Judge was most valuable; it was never careless or imperfect. He could see through each case and seize its points at once, and announce his decision.

In Commercial litigation his judgment was much sought, and gave general satisfaction. This was due in some measure to his fearless application of equity in guiding his decisions. Merchants prefer common-sense to law.

He refused to act as a Criminal Judge. I believe pity for the poor criminals, and a deep conviction that

the wrong-doers had generally been deeply wronged, made him most unwilling to be their judge.

My brother's life and his enjoyments were found in intellectual pursuits.

He read much, and read on every subject. In his youth he wrote volumes of notes, where all his reading was gathered under its subjects, and these arranged alphabetically.

Every valuable fact or beautiful verse was indexed up under its leading word and thought. This made his mind a similar record, where, duly classified and easily found, all the treasures of his reading were preserved.

He read with his mind fully awake, and, as he marked each book he read, so every memorable thing was marked in his mind. While he read the records of the mighty thinkers of olden times in Latin, French, or German, and knew something of most of them in science and philosophy, he was fully abreast with the most recent thought.

Poetry was his favourite study and recreation. He always said that the highest and best thoughts expressed in the most suitable and beautiful words were to be found there, and he acted on this conviction, reading, criticising, and remembering the best of every poet's work as it passed under his eye. His note-books were full of extracted beauties; and he could illustrate by poetical quotations almost any subject. Unfortunately they are written in shorthand.

When he resigned his office of Judge, he resigned his connection with law, ceased to read or

think about it, and parted with some of his legal library.

His mind became more and more absorbed in Philosophy and Theology or rather Philosophic Theology. He had all his faculties during the first years of his illness, and he had ample leisure to employ them. They were largely engaged in the highest and most difficult problems of God's nature and man's relation to Him. He studied and admired Spinoza, yet always denied that he himself was a Pantheist, marking the distinction thus: "Spinoza holds that everything is God. I hold that God is everything; if I were to assume a name descriptive of my belief, I should be called a Theopanist." Thus he held that "force," "substance," "being," itself must be God, quoting many a text to show that the Bible agreed with his view, such as:—"I am," implying that besides God nothing was; "In whom we live and move and have our being." The 17th Chapter of John's Gospel was often referred to as declaring the unity of God with His creatures.

He sided with Bishop Berkeley in the doctrine of the superior evidence for the existence of mind compared with what we have for the existence of matter, and had no sympathy with materialism. He seemed sometimes to wish he had strength to contribute his thoughts, to counteract the prevailing materialistic philosophy of our day.

The Bible he knew well, and studied much, though he did not hold the doctrine of a verbal inspiration. He ever sought and found in it the highest and purest

thoughts this world contains. The Gospel of John was more in harmony with his mind than the Pauline writings.

He loved clear, definite thought. Of Arnold's "Literature and Dogma," he said, "Well, 'literature' means undefined mysticism, 'dogma' defined ideas; all my sympathy is with the latter."

Indeed, often his attempts to define seemed to be applied to subjects too high for man's faculties to comprehend.

His favourite definition of the creature was "a part of the Infinite," for, he said the Infinite cannot be infinite if it does not include everything. He treated man's consciousness of personality and the testimony of his intuitions with little reverence, holding God and God's infinite existence as all and in all, overlooking that our knowledge of God, however imperfect, can only rest on our knowledge of ourselves. The terms of his will, in founding the lectureships of Natural Theology, illustrate this characteristic of his mind.

My brother's attitude towards God was most trustful, reverent and obedient. He had perfect confidence in God's goodness, and built his optimism on that foundation. During all his years of suffering and weariness not only did he never once complain, but often said, "It could not be better."

A strong sense of justice pervaded all his dealings with his fellow-men; carefully he gave every one his due. He was generous. The share of our father's estate which fell to him he never touched

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but handed it over to my sister and myself. He gave to me at another time the house at No 4 Lower Joppa, a present my children and their children enjoyed many a summer day.

Those who gathered round him at Granton House, his nephews and nieces, will never forget his kindness, nor find again such a generous and noble friend.

It was strange that, with such an admiration for beauty in the abstract, and as it existed in expressed thought, my brother had no enthusiasm for fine architecture, for beautiful painting, or for flowers.

Enriched as his mind was with such varied treasures, possessed with such clear and definite views on most important truth, and directed especially to Philosophic Theology, it was often regretted that his thoughts were not embodied in a book. Had his strength been prolonged he might have done so, but he has left nothing for publication.

Only in one direction has he left permanent traces of his thought. During his services as a Judge, he most willingly became a lecturer at many of the Literary and Philosophical Institutions of Edinburgh, and other towns of Scotland. On winter evenings he often travelled far to deliver carefully-studied lectures on such themes as The Life of St Bernard, The Avatars of Vishnoo, The Chemistry of Dust, The Foundations of Law, The Poetry of Adelaide Proctor, of Mrs Browning, Writings of Erasmus, Darwin, Emerson, or Parker, What is Substance? What is Force?

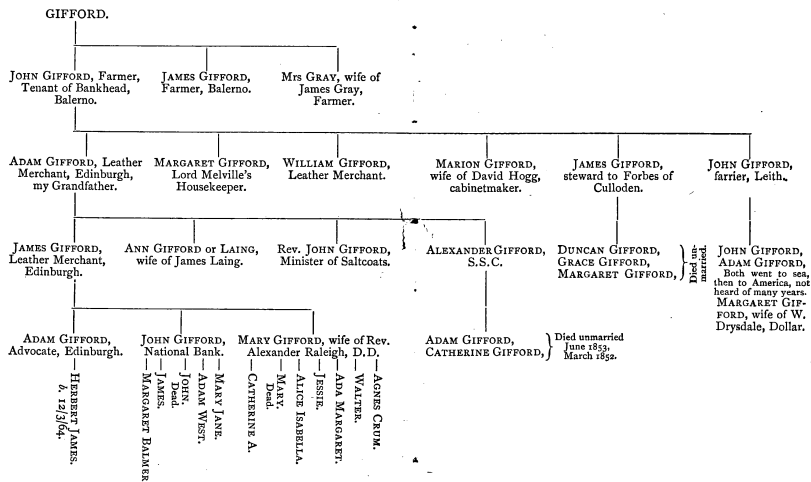
The productions were thoroughly thought out and richly adorned by a mind endowed with no

ordinary amount of energy and beauty. A selection of these has been printed for private friends by his niece, Alice, and his son, Herbert.

His body was buried in the old Calton Cemetery, where the dust of his wife, his father, and mother lie. The grave is close to the eastern wall of the burying-ground.

NOTE OF FAMILY RELATIONSHIP OF ADAM GIFFORD.

ANCESTRY ON FATHER'S SIDE.



RESIGNATION OF LORD GIFFORD.

From "The Scotsman," January 1881.

THE illness of Lord Gifford, which struck him on the bench only the other week, has been speedily followed by his resignation, which was, we believe, tendered yesterday. He has always been known as a man of swift decisiveness and of a strong sense of duty, and as such he appears in thus suddenly resolving to retire from a position of which he might well be proud, and where he was greatly held in honour; although we feel sure if he could have sounded the feeling of the public it would have been against his retirement, so long as there was any hope of his being able ever again to return to the judicial chair which he adorned. It must have been owing to a dread on the part of his medical advisers lest his still clear mind should, from its eagerness for work and habitual aversion to rest, have, owing to the anxious suspense of his invalid position, still further "fretted the feeble body to decay," and deprived him of a chance of restoration to health, which all who know anything of him will heartily wish him. Few lawyers have acquired such ample stores of enjoyment for the evening of life—an evening that has dropped down upon him in mid-afternoon; and it may be hoped that as some compensation for its coming so early, it may last long, and be touched with the light of more ethereal spheres than those in which he has hitherto toiled and battled.

Lord Gifford, long and familiarly known as Adam Gifford, was born in 1820. He is a native of Edinburgh, and educated in it. He adopted the profession of the law, and was, we believe, trained in the office of a relative without any ulterior intention of seeking to enter the College of Justice. But he or some one else discovered his abilities, and he was persuaded to study for the bar. He passed as advocate in 1849, and soon

acquired a large practice. He was, though a moderate politician himself, associated with the ultra-Liberal section of the Liberal party, and did not obtain any Government preferment until his abilities, and the unmistakable recognition of them in the profession, rendered it impossible to pass him by any longer. He was therefore appointed an advocate-depute, and in due course of time Sheriff of Orkney and Shetland. One of his bits of duty as advocate-depute was to conduct the prosecution of Jessie M'Lachlan at Glasgow in 1862. He was raised to the bench in 1870, just as he was thinking of retiring from the bar, at least for a time, partly for the sake of his health, and partly for the sake of that literary and speculative leisure which has always been dear to him, and the fruits of which have been suggestive in sample in those lectures which from time to time he has delivered to popular audiences in various parts of the country. Few of his contemporaries at the bar had so large a practice as Adam Gifford. His early technical office training, his frank faculty for friendship, his wide acquaintanceship in his native city, his capacity for clear, ready thought and speech, his enthusiastic temperament, which fired his thought with emotion, and raised his oratory from its ordinary business plane into real occasional eloquence, all combined to make him a popular counsel almost from the first, and altogether to the close of his career at the bar. Besides, he was a worker who never shirked his work, and he could work with great rapidity and very surprising precision. He appeared to seize upon the substance of a case by a sort of intuition, and his general views, which were caught, as it were, on the wing, were singularly complete, and could be put forth by him in a distinct, clear, articulate manner, giving in his statement of them no hint of deficiency in detail, or of want of depth in sounding. This swift intuitive faculty of his for dashing through and catching up the vitals of a litigious dispute was invaluable for a pleader or an opinionist, because of the speed with which he did his work, and because of the real practical value of the "first impression" of so busy a lawyer, who knew the law well, as also the idiosyncrasies and infirmities of those who sat as its

authorised expounders, and could therefore form a conception, not merely of what was right, but chiefly of what was likely to be declared right. Perhaps it was a little to be deplored, when he himself came to be a Judge, that the habit of deferring to first impressions seemed still to cling to him to such an extent that the task of attempting to shake them had often, if not generally, to be abandoned in despair. Few Judges have been more unconvincible than he; but more conscientious none could be. His opinions were not arrived at in the dark, but in the best light he could shed over the whole field; and once arrived at, it was not easy to change them. He would listen to the freest criticism with the greatest patience and good humour. His temper was nearly perfect, but so was his faith in that view of a case which came to him so soon as he had once swept over it in a flash of semi-inspiration. His overmastering inward conviction gives to many of his opinions the clear consistency and exhaustive completeness of works of art. It is possible not to agree with some of them, impossible not to admire them, and equally impossible to have known their author and not to esteem him for his unswerving conscientiousness, his devotion to high ideals, and his never-failing courtesy and human kindliness.

Lord Gifford was great as a lawyer, and known to Scotland chiefly as a busy, brilliant advocate and a learned Judge; but he possesses intellectual gifts and accomplishments of an order rare among lawyers, and more perilous than rare. His reading in poetry is extensive, and his sympathy intense. Of theology he is known to be a diligent student, and he has stores of learning that would equip a Presbytery, and perhaps partially overwhelm it. He would have made an excellent pulpit orator. Though a Dissenter of some kind, the General Assembly of the Church of Scotland always contributed a crowd to hear him at the bar, and many were the fathers and brethren who listened to his fervid eloquence, and lamented that so admirable a serious orator should have been lost to the Church, and left to split hairs in the unconsecrated temples of mere secular justice. In the walks of transcendental metaphysics, too, he is no

stranger. A manifest idealist of the purest type, whatever tangled knots of Mammon he may have been ordained to unloose, he has plainly from time to time been able to rise into the pure ether of speculation, and look down with indifference, if not with a sort of kindly scorn, upon the cares and wrangles and gilded baubles that perplex and amuse the common denizens of earth. Success in this life he has had, probably far beyond the hopes of his youth. Too soon has been reaped and blighted his harvest in the field of ambition. Far more permanent will be his harvest of the respect and gratitude of his countrymen, and of those harvests of the intellect and of the ideal which he has sown, and which are incapable of blight.

*TRUST DISPOSITION and SETTLEMENT of the
late Adam Gifford, sometime one of the Senators of
the College of Justice, Scotland, dated 21st August
1885.*

I, ADAM GIFFORD, sometime one of the Senators of the College of Justice, Scotland, now residing at Granton House, near Edinburgh, being desirous to revise, consolidate, alter, and amend my trust-settlements and testamentary writings, and having fully and maturely considered my means and estate, and the circumstances in which I am placed, and the just claims and expectations of my son and relatives, and the modes in which my surplus funds may be most usefully and beneficially expended, and considering myself bound to apply part of my means in advancing the public welfare and the cause of truth, do hereby make my Trust-deed and latter Will and Testament—that is to say, I give my body to the earth as it was before, in order that the enduring blocks and materials thereof may be employed in new combinations; and I give my soul to God, in Whom and with Whom it always was, to be in Him and with Him for ever in closer and more conscious union; and with regard to my earthly means and estate, I do hereby give, grant, dispoise, convey, and make over and leave and bequeath All and Whole my whole means and estate, heritable and moveable, real and personal, of every description, now belonging to, or that shall belong to me at the time of my death, with all writs and vouchers thereof, to and in favour of Herbert James Gifford, my son; John Gifford, Esquire, my brother; Walter Alexander Raleigh, my nephew, presently residing in London; Adam West Gifford, W.S., my nephew; Andrew Scott, C.A., in Edinburgh, husband of my niece; and Thomas Raleigh, Esquire, barrister-at-law, London, and the survivors and survivor of them accepting, and the heirs of the last survivor, and to such other person or persons as I may name, or as may be assumed or appointed by competent authority, a majority being always a quorum, as trustees for the ends, uses,

and purposes aftermentioned, but in trust only for the purposes following: That is to say, *First*, For payment of all my just and lawful debts, deathbed and funeral expenses, and the expense of executing this trust. *Second*, For payment to each trustee who may survive me, and accept and act as trustee, of the sum of £100 sterling, as a mere compliment and acknowledgment for his kindness in acting as trustee, but not as remuneration. *Third*, My trustees will see that my son, the said Herbert James Gifford, receives from the trustees appointed by the ante-nuptial contract of marriage between me and my late dear wife, the sum of £7400, or such other sum as may be in the hands of the said marriage contract trustees, as the whole amount of my dear wife's separate fortune, in terms of the said marriage contract in all respects. This sum of £7400 does not form part of my estate, but it is right to keep it in view in relation to the provisions in favour of the said Herbert James Gifford, my son. *Fourth*, To make payment to the said Herbert James Gifford of the sum of £5000 sterling, which I bound myself by the said marriage contract to pay to the heir of the marriage between me and my said wife, all in exact terms of the said marriage contract. *Fifth*, To make payment to my brother, the said John Gifford, and to my sister, Mrs Mary Gifford or Raleigh, widow of the late Reverend Doctor Alexander Raleigh, of the sums of £1000 each. I know that they do not need any pecuniary provision, and I make herein separate bequests to their children as aftermentioned, but they will accept of these sums from me as mere testimonies of my esteem and regard. *Sixth*, To pay, dispose of, invest, and apply the sum of £2500 to and for each of my nephews and nieces, who at present are ten in number, the children of my brother, the said John Gifford, and of my sister, the said Mrs Mary Gifford or Raleigh—that is to say, to each of Margaret Balmer Gifford or Scott, spouse of the said Andrew Scott; James Gifford, now in South Africa; the said Adam West Gifford; and Mary Jane Gifford or Croll, spouse of Andrew Usher Croll, Glasgow, the children of the said John Gifford; Catherine

Anne Raleigh, residing in London; Alice Isabella Raleigh, now residing with me at Granton House; Jessie Raleigh, residing in London; the said Walter Alexander Raleigh; Ada Margaret Raleigh, and Agnes Crum Raleigh, both also residing in London, all children of the said Mrs Mary Gifford or Raleigh. Now my will is that my trustees shall hold for each of my said nephews and nieces who may survive me, and for their respective issue equally, the said sum of £2500 each in liferent, for their respective liferent uses allenarly, the issue of each nephew or niece taking the fee, and failing issue of each respective nephew or niece, the disposal of the fee being absolutely with the said respective nephews or nieces themselves; but declaring that if the trustees think proper, they may advance to any of my said nephews or nieces any sum not exceeding £1000; my meaning is that my said trustees shall hold the amount of the said legacies for behoof of my said nephews and nieces, and invest the same in heritable or personal property, or in the purchase of heritage, and pay the free income or produce thereof to my said nephews and nieces as an alimentary fund, exclusive of the *jus mariti* of husbands and of the diligence of creditors, at such times and in such sums as my trustees may think proper; and in case of the death of any of my said nephews and nieces, their respective children shall take their parent's share of the capital equally, and failing children they shall each have power to dispose of their shares of the capital at pleasure, and failing their doing so, it shall go to the survivors equally, share and share alike, and the issue of any predeceasing nephew or niece. And I would suggest to my said nephews and nieces, and each of them, that as these liferented legacies form, as it were, a family fund to secure against want, and I have therefore made them alimentary, and as it is intended to secure by means thereof a comfortable maintenance, so I think that if any of my said nephews or nieces are rich or comparatively rich, they may give up part or even the whole of their liferent to those who are poor or comparatively poor, so as to make the fund as useful as

possible, but in all cases this is to be left to the pure good will and pleasure of each of my nephews and nieces themselves, and to their own feeling, without being dictated to by anybody or influenced otherwise than by their own sentiments of love and kindness. *Seventh*, In order to interest my son, the said Herbert James Gifford, in the said alimentary scheme and legacies, I direct my said trustees to set aside for him the sum of £2500 in addition to his other provisions, and to invest the said sum of £2500 along with and in the same way as the alimentary shares of his cousins, and to apply the interest in exactly the same way for his behoof, and I make the same suggestions in every way just as if he had been one of my nephews, and I destine his legacy so liferented in the same way. *Eighth*, I direct and appoint my said trustees to use and employ the sum of £40,000 as follows for behoof of my son, the said Herbert James Gifford, and his heirs and those substituted to him as aftermentioned—that is to say, my trustees shall apply the said sum of £40,000 in the purchase of lands and heritages of a permanent value, or of a value likely to increase either in one locality or in several localities within the United Kingdom or its islands, and shall entail the same, that is, they shall convey the lands and properties so purchased by settlement of strict entail in form of law to and in favour of the following series of disponees and heirs, that is to say, to and in favour of the said Herbert James Gifford, my son, in liferent for his liferent use allenerly during his lifetime, and after his death to the heirs male of his body, whom failing, the heirs female of his body, secluding heirs portioners, the eldest heir female for the time always exclusive of the others, whom failing, to the said Walter Alexander Raleigh, my nephew, for his liferent use allenerly during his lifetime, and after his death to the heirs male of his body, whom failing, the heirs female of his body, secluding heirs portioners, the eldest heir female for the time always exclusive of the others, whom failing, to the said Adam West Gifford, my nephew, in liferent for his liferent use allenerly during his lifetime, and after his death to the heirs male of his body, whom failing, to the heirs female of his body,

secluding heirs portioners, the eldest heir female for the time always exclusive of the others, whom all failing, to my seven nieces above named, equally among them, share and share alike, and failing any of them by death, to her issue, each child taking, if more than one, an equal part of the mother's share, and to the survivors of my said nieces, and to their respective heirs, assignees, and successors whomsoever, thus terminating the entail; declaring that my said trustees shall have full discretion to fix when and where the lands shall be bought, or even to decide to keep the money invested on security for a series of years, if they shall think that preferable, or to buy to a greater extent than £40,000, borrowing the difference on the security of the purchase, and if there be on any of the lands so purchased a mansion house or mansion houses inhabited by the heir in possession for the time, then I suggest (but it is a mere suggestion) that it be made a kind of visiting place for my relatives, in some such manner as Granton House has been, so to promote good feeling among all. *Ninth*, I leave and bequeath all my household and garden furniture, and all my corporeal moveables, books, and chattels to my son, Herbert James Gifford, only suggesting that my brother, the said John Gifford, should have any article or articles he may choose, and that the said Walter Alexander Raleigh, Adam West Gifford, and Thomas Raleigh should each select say one hundred volumes from my books, not being drawing-room books or books of plates. *Tenth*, I direct my trustees to pay the following legacies:—To the Reverend William Skae, M.A., classical master, Edinburgh, £100; to the Reverend James Smith, minister of the Free Church, Davidson's Mains, £100; to the Reverend George Philip, Free Church minister, Saint John's, Edinburgh, £100; to the Reverend Walter Chalmers Smith, Free Church minister, Free High Church, Edinburgh, £100; to the Granton Literary Institute, Granton, the sum of £25 sterling; to Alexander Johnston, my gardener, the sum of £20; to Edward Dillon, my butler, the sum of £20; to each of my servants, including the said Alexander Johnston and Edward Dillon, who shall be in my service at the time of my death, the sum of £10, and also the sum of £1 for every

complete year they have been in my service, declaring that the wife of my gardener, and the wife of my lodgekeeper, and my post-boy shall be reckoned in the number of my servants; to Margaret Malcolmson, who was nurse to my son, now a stewardess, the sum of £20, all which legacies shall be paid the first Whitsunday or Martinmas after my death, as also any other legacies which I may leave under my hand, declaring that whatever is signed by me shall be held as under my hand, whether holograph or not, declaring that while legacies payable under this tenth purpose are to be payable at the first Whitsunday or Martinmas after my death, all the other purposes of my trust settlements shall be prestable at the first Whitsunday or Martinmas that shall happen six months after my death. And I give to my trustees all the powers and privileges conferred on trustees by law and statute, including a power to name factors and law agents, either of their own number or of strangers, and in both cases with suitable remuneration, and for whom they shall not be answerable further than that they were habit and repute solvent at the time of appointment. And I declare the preceding ten purposes of this trust to be preferable, and I direct that these ten purposes be fulfilled in the first place before any others and before any residue of my estate, or any part thereof, is disposed of, and before any residue is ascertained or struck, declaring that it is only what may remain of my means and estate after the said ten purposes are fulfilled that I call herein the 'residue' of my estate, and out of which I direct the lectureships aftermentioned to be founded and endowed. And in regard that, in so far as I can at present see or anticipate, there will be a large 'residue' of my means and estate in the sense in which I have above explained the word, being that which remains after fulfilling the above ten purposes, and being of opinion that I am bound if there is a 'residue' as so explained, to employ it, or part of it, for the good of my fellow-men, and having considered how I may best do so, I direct the 'residue' to be disposed of as follows:—I having been for many years deeply and firmly convinced that the true knowledge of God, that is, of the Being, Nature, and Attributes of the Infinite, of the All, of the First and

the Only Cause, that is, the One and Only Substance and Being, and the true and felt knowledge (not mere nominal knowledge) of the relations of man and of the universe to Him, and of the true foundations of all ethics and morals, being, I say, convinced that this knowledge, when really felt and acted on, is the means of man's highest well-being, and the security of his upward progress, I have resolved, from the 'residue' of my estate as aforesaid, to institute and found, in connection, if possible, with the Scottish Universities, lectureships or classes for the promotion of the study of said subjects, and for the teaching and diffusion of sound views regarding them, among the whole population of Scotland, Therefore, I direct and appoint my said trustees from the 'residue' of my said estate, after fulfilling the said ten preferable purposes, to pay the following sums, or to assign and make over property of that value to the following bodies in trust:—*First*, to the Senatus Academicus of the University of Edinburgh, and failing them, by declinature or otherwise, to the Dean and Faculty of Advocates of the College of Justice of Scotland, the sum of £25,000. *Second*, To the Senatus Academicus of the University of Glasgow, and failing them, by declinature or otherwise, to the Faculty of Physicians and Surgeons of Glasgow, the sum of £20,000. *Third*, To the Senatus Academicus of the University of Aberdeen, whom failing, by declinature or otherwise, to the Faculty of Advocates of Aberdeen, the sum of £20,000. And *Fourth*, To the Senatus Academicus of the University of St Andrews, whom failing, by declinature or otherwise, to the Physicians and Surgeons of St Andrews, and of the district twelve miles round it, the sum of £15,000 sterling, amounting the said four sums in all to the sum of £80,000 sterling; but said bequests are made, and said sums are to be paid in trust only for the following purpose, that is to say, for the purpose of establishing in each of the four cities of Edinburgh, Glasgow, Aberdeen, and St Andrews, a Lecture-ship or Popular Chair for 'Promoting, Advancing, Teaching, 'and Diffusing the study of Natural Theology,' in the widest sense of that term, in other words, 'The Knowledge of God, the 'Infinite, the All, the First and Only Cause, the One and the

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‘Sole Substance, the Sole Being, the Sole Reality, and the Sole Existence, the Knowledge of His Nature and Attributes, the Knowledge of the Relations which men and the whole universe bear to Him, the Knowledge of the Nature and Foundation of Ethics or Morals, and of all obligations and Duties thence arising.’ The Senatus Academicus in each of the four Universities, or the bodies substituted to them respectively, shall be the patrons of the several lectureships, and the administrators of the said respective endowments, and of the affairs of each lectureship in each city. I call them for shortness simply the ‘patrons.’ Now I leave all the details and arrangements of each lectureship in the hands and in the discretion of the ‘patrons’ respectively, who shall have full power from time to time to adjust and regulate the same in conformity as closely as possible to the following brief principles and directions which shall be binding on each and all of the ‘patrons’ as far as practicable and possible. I only indicate leading principles. *First*, The endowment or capital fund of each lectureship shall be preserved entire, and be invested securely upon or in the purchase of lands or heritages which are likely to continue of the same value, or increase in value, or in such other way as Statute may permit, merely the annual proceeds or interest shall be expended in maintaining the respective lectureships. *Second*, The ‘patrons’ may delay the institution of the lectureships, and may from time to time intermit the appointment of lecturers and the delivery of lectures for one or more years for the purpose of accumulating the income or enlarging capital. *Third*, The lecturers shall be appointed from time to time each for a period of only two years and no longer, but the same lecturer may be reappointed for other two periods of two years each, provided that no one person shall hold the office of lecturer in the same city for more than six years in all, it being desirable that the subject be promoted and illustrated by different minds. *Fourth*, The lecturers appointed shall be subjected to no test of any kind, and shall not be required to take any oath, or to emit or subscribe any declaration of belief, or to make any promise of any kind; they may be of any denomination whatever, or of no denomina-

tion at all (and many earnest and high-minded men prefer to belong to no ecclesiastical denomination); they may be of any religion or way of thinking, or as is sometimes said, they may be of no religion, or they may be so-called sceptics or agnostics or freethinkers, provided only that the 'patrons' will use diligence to secure that they be able, reverent men, true thinkers, sincere lovers of and earnest inquirers after truth. *Fifth*, I wish the lecturers to treat their subject as a strictly natural science, the greatest of all possible sciences, indeed, in one sense, the only science, that of Infinite Being, without reference to or reliance upon any supposed special exceptional or so-called miraculous revelation. I wish it considered just as astronomy or chemistry is. I have intentionally indicated, in describing the subject of the lectures, the general aspect which personally I would expect the lectures to bear, but the lecturers shall be under no restraint whatever in their treatment of their theme; for example, they may freely discuss (and it may be well to do so) all questions about man's conceptions of God or the Infinite, their origin, nature, and truth, whether he can have any such conceptions, whether God is under any or what limitations, and so on, as I am persuaded that nothing but good can result from free discussion. *Sixth*, The lectures shall be public and popular, that is, open not only to students of the Universities, but to the whole community without matriculation, as I think that the subject should be studied and known by all, whether receiving University instruction or not. I think such knowledge, if real, lies at the root of all well-being. I suggest that the fee should be as small as is consistent with the due management of the lectureships, and the due appreciation of the lectures. Besides a general and popular audience, I advise that the lecturers also have a special class of students conducted in the usual way, and instructed by examination and thesis, written and oral. *Seventh*, as to the number of the lectures, much must be left to the discretion of the lecturer, I should think the subject cannot be treated even in abstract in less than twenty lectures, and they may be many times that number. *Eighth*, The 'patrons' if and when they

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see fit may make grants from the free income of the endowments for or towards the publication in a cheap form of any of the lectures, or any part thereof, or abstracts thereof, which they may think likely to be useful. *Ninth*, The 'patrons' respectively shall all annually submit their accounts to some one chartered accountant in Edinburgh, to be named from time to time by the Lord Ordinary on the Bills, whom failing, to the Accountant of the Court of Session, who shall prepare and certify a short abstract of the accounts and investments, to be recorded in the Books of Council and Session, or elsewhere, for preservation. ✓ And my desire and hope is that these lectureships and lectures may promote and advance among all classes of the community the true knowledge of Him Who is, and there is none and nothing besides Him, in Whom we live and move and have our being, and in Whom all things consist, and of man's real relationship to Him Whom truly to know is life everlasting. ✓ If the residue of my estate, in the sense before defined, should turn out insufficient to pay the whole sums above provided for the four lectureships (of which shortcoming, however, I trust there is no danger), then each lectureship shall suffer a proportional diminution ; and if, on the other hand, there is any surplus over and above the said sum of £80,000 sterling, it shall belong one-half to my son, the said Herbert James Gifford, in liferent, and to his issue other than the heirs of entail in fee, whom failing, to my unmarried nieces equally in fee ; and the other half shall belong equally among my unmarried nieces. And I revoke all settlements and codicils previous to the date hereof if this receives effect, providing that any payments made to legatees during my life, shall be accounted as part payment of their provisions. And I consent to registration hereof for preservation, and I dispense with delivery hereof.—In witness whereof, these presents, written on this and the six preceding pages by the said Adam West Gifford, in so far as not written and filled in by my own hand, are, with the marginal notes on pages four and five (and the word 'secluding' on the eleventh line from top of page third, being written on an erasure), subscribed by me at Granton House, Edinburgh, this twenty-first day of

August Eighteen hundred and eighty-five years, before these witnesses, James Foulis, Doctor of Medicine, residing in Heriot Row, Edinburgh, and John Campbell, cab driver, residing at No. 5 Mackenzie Place, Edinburgh.

AD. GIFFORD.

James Foulis, M.D., Heriot Row,

Edinburgh, *witness.*

John Campbell, cab driver, 5

Mackenzie Place, *witness.*

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